

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE (MANCHESTER)

In Re: Christopher R. Bentley
Alicia A. Bentley

Chapter 13
Case No. 12-12706 JMD

Debtors

**OBJECTION OF CHRISTIANA TRUST, A DIVISION OF WILMINGTON
SAVINGS FUND SOCIETY, FSB, AS TRUSTEE FOR STANWICH
MORTGAGE LOAN TRUST, SERIES 2012-12 TO DEBTORS' CHAPTER 13 PLAN**

Now comes Christiana Trust, A Division of Wilmington Savings Fund Society, FSB, as Trustee for Stanwich Mortgage Loan Trust, Series 2012-12 (the "Creditor") and files its objection to the Debtors' Chapter 13 Plan. In support of its objection, the Creditor states as follows:

1. The Creditor is the holder of a mortgage which covers the Debtors' property located at 691 Central Street, Franklin, New Hampshire.
2. The amount of arrearage due Creditor at the time the Debtors filed their Chapter 13 petition was \$14,803.37 on its mortgage. (See Proof of Claim No. 9-1 dated March 5, 2013).
3. The Debtors' proposed Chapter 13 Plan does not provide for the payment of the Secured Claim for the arrearage due on the mortgage owed to Creditor in the amount of \$14,803.37.
4. Creditor objects to the Debtors' proposed Plan, which fails to provide for the payment of the full amount of the secured claim for the arrearage due to Creditor
5. Based on the above facts, Creditor asserts that the Debtors have no basis for proposing a Plan which fails to include the total secured claim amount due Creditor pursuant to the arrearage amount shown on its proof of claim.

WHEREFORE, Creditor respectfully requests that the Court:

1. Withhold confirmation of the Debtors' Chapter 13 Plan until the Debtors file an Amended Plan providing for the full arrearage due Creditor; and

2. Grant such other relief as the Court deems just and proper.

Respectfully submitted,
Christiana Trust, A Division of Wilmington Savings
Fund Society, FSB, as Trustee for Stanwich
Mortgage Loan Trust, Series 2012-12
By its attorney,

/s/ Holly L. Rutko
Holly L. Rutko, Esq. (#6744)
Rutko Law Office
1070 Main Street, Suite 301
Pawtucket, RI 02860
401-475-4646

Dated: March 7, 2013

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CERTIFICATE OF SERVICE

I, Holly L. Rutko, Esq., of Rutko Law Office, LLC, do hereby certify that on March 7, 2013 I served a true copy of the Objection of Christiana Trust, A Division of Wilmington Savings Fund Society, FSB, as Trustee for Stanwich Mortgage Loan Trust, Series 2012-12 to Debtors' Chapter 13 Plan, on the attached service list by mailing a copy of same by first class mail, postage prepaid or other method specified on service list:

Signed under the penalties of perjury, this 7th day of March, 2013.

/s/ Holly L. Rutko
Holly L. Rutko, Esq. (#6744)
Rutko Law Office, LLC
1070 Main Street, Suite 301
Pawtucket, RI 02860
(401) 475-4646

VIA ECF

Sandra A. Kuhn, Esq., on behalf of the Debtors
Lawrence P. Sumski, Esq., Chapter 13 Trustee
Office of the U.S. Trustee
John S. McNicholas, Esq., on behalf of Goldman Sachs Mortgage Company
Michael T. McCormack, Esq., on behalf of the IRS

VIA US MAIL

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